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**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



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*Victoria F. Sheehan*  
Commissioner

*William Cass, P.E.*  
Assistant Commissioner

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

Bureau of Construction  
March 12, 2019

**REQUESTED ACTION**

1. Authorize the Department of Transportation to enter into a contract with Stephens Marquis Associates, Inc., (Vendor 157584) of Merrimack, NH on the basis of a low bid of \$646,000 for new gasoline and diesel UST system at the Merrimack Shed, from the date of Governor and Council approval through August 30, 2019 unless extended by the Department in accordance with the Standard Specifications. 100% Underground Fuel Tank Replacement – Capital Fund.

Funding is available in State Fiscal Year 2019 and is contingent upon the availability and continued appropriation of funds in Fiscal Year 2020 as follows, with the ability to adjust encumbrances through the Budget Office between State Fiscal Years if needed and justified:

Funding is available as follows:	<u>FY 2019</u>	<u>FY 2020</u>
04-96-96-960030-8286		
Under Ground Fuel Tanks		
034-1051 Capital Projects	\$47,281	\$400,000

Funding is available as follows:	<u>FY 2019</u>	<u>FY 2020</u>
04-96-96-960030-1682		
Under Ground Tank Replacement		
034-1051 Capital Projects	\$48,719	\$150,000

2. Further authorize that a contingency in the amount of \$32,300 be approved for payment of latent conditions, which may appear during the construction of the project. The contingency requested is 5% of the contract amount.

Funding is available as follows:	<u>FY 2019</u>	<u>FY 2020</u>
04-96-96-960030-1682		
Under Ground Fuel Tanks		
034-1051 Capital Projects	\$0	\$32,300

**EXPLANATION**

This project is part of the Underground Fuel Tank Replacement Program under the Capital Fund. This project consists of constructing a new vehicle fueling facility and removing the existing fueling facility at the Merrimack Shed (PS 820). The Contractor shall provide all labor and materials to complete the work. The scope of work at the facility will include the installation of one (1) 10,000-gallon diesel underground storage tank (UST), one (1) 15,000-gallon gasoline UST, two (2) dual pump suction

dispensers and fueling pad with lighted canopy, and all other associated fueling system equipment and appurtenances. The project will also include the removal of one (1) existing 6,000-gallon diesel UST, one (1) existing 6,000-gallon gasoline UST, two (2) existing dispensers and associated fueling pad, the existing canopy, and all associated fueling system equipment and appurtenances related to the existing fueling system at this location. Engineered shoring for the tank excavation will be required.

The Department of Transportation is required to comply with all DES rules relative to the testing, removal, and replacement of all USTs.

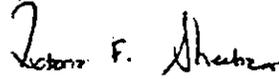
The Contingency amount is proposed to be 5% of the contract amount. Latent conditions at older patrol sheds have caused rework for the designer and Contractors in the past and may become an issue here.

The Contractor has been prequalified by this Department. The Contract has been approved by the Attorney General as to form and execution, and the Department has certified that the necessary funds are available and the bid reasonably conforms to the engineer's estimate in accordance with State procedure. Copies of the fully executed contract are on file at the Secretary of State's Office and the Department of Administrative Service's Office, and subsequent to Governor and Council approval will be on file at the Department of Transportation.

This project funding is 100% Underground Fuel Tank Replacement – Capital Fund.

A copy of the Tabulation of Bids received for this project is attached along with the Contract Supplemental Sheet and a map indicating the location of the project.

Sincerely,



Victoria F. Sheehan  
Commissioner

VFS/md

Department Estimate: \$689,825.00  
Contract Amount: \$646,000.00  
Under Estimate: \$ 43,825.00  
Attachments

February 5, 2019

## **SUPPLEMENTAL PROJECT INFORMATION SHEET**

**DESCRIPTION:** This project consists of constructing a new vehicle fueling facility and removing the existing fueling facility at the Merrimack Shed (PS 820). The Contractor shall provide all labor and materials to complete the work. The scope of work at the facility will include the installation of one (1) 10,000-gallon diesel underground storage tank (UST), one (1) 15,000-gallon gasoline UST, two (2) dual pump suction dispensers and fueling pad with lighted canopy, and all other associated fueling system equipment and appurtenances. The project will also include the removal of one (1) existing 6,000-gallon diesel UST, one (1) existing 6,000-gallon gasoline UST, two (2) existing dispensers and associated fueling pad, the existing canopy, and all associated fueling system equipment and appurtenances related to the existing fueling system at this location. Engineered shoring for the tank excavation will be required.

**FEDERAL FUNDING:** 0% (100% Underground Fuel Tank Replacement – Capital Fund)

**CONTINGENCY:** The Contingency amount is proposed to be 5% of the contract amount. Latent conditions at older patrol sheds have caused rework for the designer and Contractors in the past and may become an issue here.

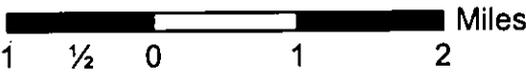
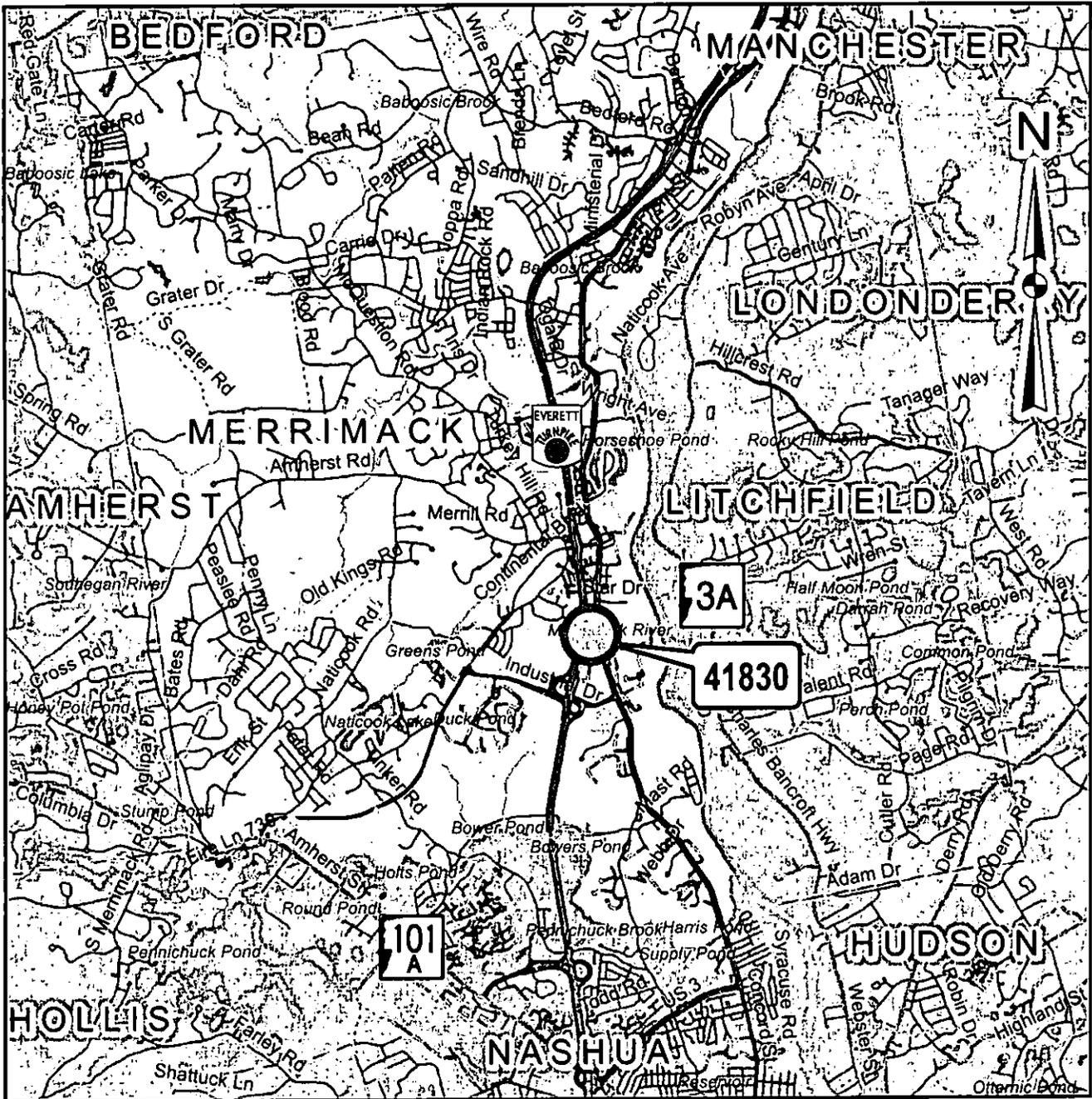
**PROJECT INITIATED:** Underground Fuel Tank Replacement Capital Fund

**PROJECT EXPLANATION:** The Department of Transportation is required to comply with all DES rules relative to the testing, removal, and replacement of all USTs.

**TRAFFIC IMPLICATIONS:** All the required work will be performed within the limits of the Patrol Shed yard and Contractor access will be from US Route 3 only.

**COMPLETION DATE:** August 30, 2019.

# MERRIMACK - PS 820



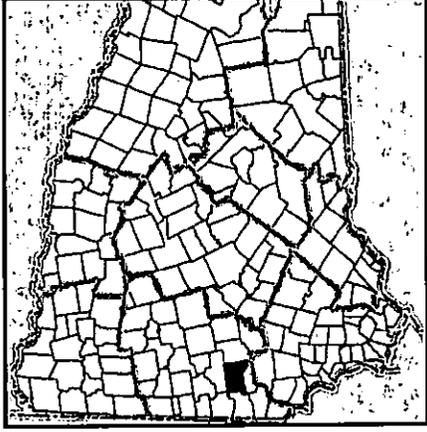
**LEGEND**

- Streams
- Water Bodies
- US Routes
- State Routes
- Interstates
- Local Roads
- Town Boundary

New Hampshire  
**DOT**  
 Department of Transportation

State # 41830  
 Federal # N/A

**LOCATION MAP**





# ABC Bid Data

MERRIMACK  
41830  
NON-FEDERAL

PROJECT: MERRIMACK  
STATE PROJECT NUMBER: 41830  
FED. PROJECT NUMBER: NON-FEDERAL  
DATE BIDS OPEN: February 28, 2019,  
SCOPE OF WORK: Construct new gasoline and Diesel UST system at Merrimack PS 820  
COMPLETION DATE: August 30, 2019  
LOCATION:

Awarded To: STEPHENS-MARQUIS ASSOCIATES  
717 DANIEL WEBSTER HWY  
MERRIMACK, NH 03054

Amount: \$646,000.00

Award Date:

Certified by: PETER E. STAMNAS  
Director of Project Development

## Summary of Bidders

Contractor	Bid Amount	Rank
STEPHENS-MARQUIS ASSOCIATES 717 DANIEL WEBSTER HWY MERRIMACK NH 03054	\$646,000.00	A
SRS PETROLEUM SERVICES UNIT #7, 700 W CENTER STREET, WEST BRIDGEWATER MA 02379	\$665,952.72	B
D. L. KING & ASSOCIATES INC. 27 TANGLEWOOD DRIVE NASHUA NH 03062-1044	\$713,300.00	C

Item No.	Description	Unit	Quantity	P&E		STEPHENS-MARQUIS ASSOCIATES 717 DANIEL WEBSTER HWY MERRIMACK, NH 03054		SRS PETROLEUM SERVICES UNIT #7 WEST BRIDGEWATER, MA 02279	
				Unit Price	Total	Unit Price	Total	Unit Price	Total

**Items**

206.19	COMMON STRUCTURE EXCAVATION EXPLORATORY	CY	200.00	\$7.50	\$1,500.00	\$10.00	\$2,000.00	\$10.00	\$2,000.00
206.2	ROCK STRUCTURE EXCAVATION	CY	300.00	\$30.00	\$9,000.00	\$15.00	\$4,500.00	\$75.00	\$22,500.00
214.	FINE GRADING	U	1.00	\$7,500.00	\$7,500.00	\$1,250.00	\$1,250.00	\$1,000.00	\$1,000.00
304.301	CRUSHED GRAVEL	CY	720.00	\$35.00	\$25,200.00	\$20.00	\$14,400.00	\$48.00	\$34,560.00
403.12	HOT BITUMINOUS PAVEMENT, HAND METHOD	TON	15.00	\$250.00	\$3,750.00	\$300.00	\$4,500.00	\$200.00	\$3,000.00
628.2	SAWED BITUMINOUS PAVEMENT	LF	675.00	\$5.00	\$3,375.00	\$2.00	\$1,350.00	\$1.00	\$675.00
670.111	UST SYSTEM INSTALLATION	U	1.00	\$485,000.00	\$485,000.00	\$478,000.00	\$478,000.00	\$466,017.72	\$466,017.72
670.121	CANOPY INSTALLATION	U	1.00	\$55,000.00	\$55,000.00	\$60,000.00	\$60,000.00	\$63,000.00	\$63,000.00
670.131	UST SYSTEM REMOVAL	U	1.00	\$40,000.00	\$40,000.00	\$28,000.00	\$28,000.00	\$21,200.00	\$21,200.00
670.141	CONCRETE TANK ANCHOR PAD REMOVAL	U	1.00	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$500.00	\$500.00
670.151	EXCAVATION LINER REMOVAL	U	1.00	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$500.00	\$500.00
670.161	DISCHARGE PERMIT FOR TREATED GROUNDWATER	U	1.00	\$2,500.00	\$2,500.00	\$500.00	\$500.00	\$500.00	\$500.00
670.171	FILE NOTICE OF INTENT - RGP	U	1.00	\$5,000.00	\$5,000.00	\$500.00	\$500.00	\$500.00	\$500.00
1008.11	ALTERATIONS AND ADDITIONS AS NEEDED - UNANTICIPATED WORK	\$	10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00
1009.21	TREATMENT OR DISPOSAL OF CONTAMINATED GROUNDWATER (FRAC TANK)	\$	30,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00
1009.51	REMOVAL/STORAGE OF FUEL	\$	5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
1010.15	FUEL ADJUSTMENT	\$	5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00
<b>Totals:</b>					<b>\$689,825.00</b>		<b>\$848,000.00</b>		<b>\$665,952.72</b>
<b>All Totals:</b>									
<b>Totals:</b>					<b>\$689,825.00</b>		<b>\$848,000.00</b>		<b>\$665,952.72</b>

Item No.	Description	Unit	Quantity	P&E		D. L. JONG & ASSOCIATES INC. 27 TANGLEWOOD DRIVE NASHUA, NH 03062-1844		Unit Price	Total
				Unit Price	Total	Unit Price	Total		

**Items**

206.19	COMMON STRUCTURE EXCAVATION EXPLORATORY	CY	200.00	\$7.50	\$1,500.00	\$12.00	\$2,400.00		
206.2	ROCK STRUCTURE EXCAVATION	CY	300.00	\$30.00	\$9,000.00	\$165.00	\$49,500.00		
214.	FINE GRADING	U	1.00	\$7,500.00	\$7,500.00	\$4,000.00	\$4,000.00		
304.301	CRUSHED GRAVEL	CY	720.00	\$35.00	\$25,200.00	\$40.00	\$28,800.00		
403.12	HOT BITUMINOUS PAVEMENT, HAND METHOD	TON	15.00	\$250.00	\$3,750.00	\$225.00	\$3,375.00		
628.2	SAWED BITUMINOUS PAVEMENT	LF	675.00	\$5.00	\$3,375.00	\$7.00	\$4,725.00		
670.111	UST SYSTEM INSTALLATION	U	1.00	\$485,000.00	\$485,000.00	\$453,000.00	\$453,000.00		
670.121	CANOPY INSTALLATION	U	1.00	\$55,000.00	\$55,000.00	\$80,000.00	\$80,000.00		
670.131	UST SYSTEM REMOVAL	U	1.00	\$40,000.00	\$40,000.00	\$30,000.00	\$30,000.00		
670.141	CONCRETE TANK ANCHOR PAD REMOVAL	U	1.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00		
670.151	EXCAVATION LINER REMOVAL	U	1.00	\$1,000.00	\$1,000.00	\$3,000.00	\$3,000.00		
670.161	DISCHARGE PERMIT FOR TREATED GROUNDWATER	U	1.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00		
670.171	FILE NOTICE OF INTENT - RGP	U	1.00	\$5,000.00	\$5,000.00	\$500.00	\$500.00		
1008.11	ALTERATIONS AND ADDITIONS AS NEEDED - UNANTICIPATED WORK	\$	10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00		
1009.21	TREATMENT OR DISPOSAL OF CONTAMINATED GROUNDWATER (FRAC TANK)	\$	30,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00		
1009.51	REMOVAL/STORAGE OF FUEL	\$	5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00		
1010.15	FUEL ADJUSTMENT	\$	5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00		
<b>Totals:</b>					<b>\$689,825.00</b>		<b>\$713,300.00</b>		
<b>Alt. Totals:</b>									
<b>Totals:</b>					<b>\$689,825.00</b>		<b>\$713,300.00</b>		



# PS&E Comparison

MERRIMACK  
41830  
NON-FEDERAL

Item No.	Description	Unit	Quantity	A-Bidder		PS&E		A-PS&E Difference
				Unit Price	Total	Unit Price	Total	
<b>Items</b>								
206.19	COMMON STRUCTURE EXCAVATION EXPLORATORY	CY	200.00	\$10.00	\$2,000.00	\$7.50	\$1,500.00	\$500.00
206.2	ROCK STRUCTURE EXCAVATION	CY	300.00	\$15.00	\$4,500.00	\$30.00	\$9,000.00	(\$4,500.00)
214.	FINE GRADING	U	1.00	\$1,250.00	\$1,250.00	\$7,500.00	\$7,500.00	(\$6,250.00)
304.301	CRUSHED GRAVEL	CY	720.00	\$20.00	\$14,400.00	\$35.00	\$25,200.00	(\$10,800.00)
403.12	HOT BITUMINOUS PAVEMENT, HAND METHOD	TON	15.00	\$300.00	\$4,500.00	\$250.00	\$3,750.00	\$750.00
628.2	SAWED BITUMINOUS PAVEMENT	LF	675.00	\$2.00	\$1,350.00	\$5.00	\$3,375.00	(\$2,025.00)
670.111	UST SYSTEM INSTALLATION	U	1.00	\$478,000.00	\$478,000.00	\$485,000.00	\$485,000.00	(\$7,000.00)
670.121	CANOPY INSTALLATION	U	1.00	\$60,000.00	\$60,000.00	\$55,000.00	\$55,000.00	\$5,000.00
670.131.	UST SYSTEM REMOVAL	U	1.00	\$28,000.00	\$28,000.00	\$40,000.00	\$40,000.00	(\$12,000.00)
670.141	CONCRETE TANK ANCHOR PAD REMOVAL	U	1.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00	(\$500.00)
670.151	EXCAVATION LINER REMOVAL	U	1.00	\$500.00	\$500.00	\$1,000.00	\$1,000.00	(\$500.00)
670.161	DISCHARGE PERMIT FOR TREATED GROUNDWATER	U	1.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	(\$2,000.00)
670.171	FILE NOTICE OF INTENT - RGP	U	1.00	\$500.00	\$500.00	\$5,000.00	\$5,000.00	(\$4,500.00)
1008.11	ALTERATIONS AND ADDITIONS AS NEEDED - UNANTICIPATED WORK	\$	10,000.00	\$1.00	\$10,000.00	\$1.00	\$10,000.00	\$0.00

1009.21	TREATMENT OR DISPOSAL OF CONTAMINATED GROUNDWATER (FRAC TANK)	\$	30,000.00	\$1.00	\$30,000.00	\$1.00	\$30,000.00	\$0.00
1009.51	REMOVAL/STORAGE OF FUEL	\$	5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$0.00
1010.15	FUEL ADJUSTMENT	\$	5,000.00	\$1.00	\$5,000.00	\$1.00	\$5,000.00	\$0.00
<b>Total:</b>					\$646,000.00		\$689,825.00	(\$43,825.00)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
03/20/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> FIAI/Cross Insurance 1100 Elm Street  Manchester NH 03101	<b>CONTACT NAME:</b> Judith George CIC,CPIW,CRIS <b>PHONE (A/C No, Ext):</b> (603) 669-3218 <b>FAX (A/C, No):</b> (603) 645-4331 <b>E-MAIL ADDRESS:</b> jgeorge@crossagency.com
	<b>INSURER(S) AFFORDING COVERAGE</b>
<b>INSURED</b> State of New Hampshire Department of Transportation Office of Federal Compliance 7 Hazen Drive Concord NH 03301	<b>INSURER A:</b> Great American Ins Co <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>

**COVERAGES**                      **CERTIFICATE NUMBER:** 19/20 OCP - DOT                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Owners Contractors Protective  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		02ICP001002666	03/20/2019	03/20/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED    RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 RE: Project 41830 - New Vehicle Fueling Facility - 226 Daniel Webster Highway, Merrimack ,NH. Refer to policy for exclusionary endorsements and special provisions.

<b>CERTIFICATE HOLDER</b>  State of New Hampshire Office of Federal Compliance 7 Hazen Drive Concord NH 03301	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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